

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re

CUSTOMS AND TAX ADMINISTRATION OF THE
KINGDOM OF DENMARK (SKAT) TAX REFUND
LITIGATION

18-md-2865 (LAK)

This paper applies to: All Cases Identified on
Appendix A to Dkt. 533

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PRETRIAL ORDER NO. 17

(Order on First Motion for Foreign Judicial Assistance)

LEWIS A. KAPLAN, *District Judge.*

The motion of certain defendants for international judicial assistance to obtain evidence from the Kingdom of Denmark (18-md-2865, Dkt 533) is granted with respect to witnesses Leif Norman Jeppesen and Jette Zester. It is denied with respect to all other witnesses identified in defendants' motion without prejudice to renewal after the completion of defendants' Rule 30(b)(6) deposition of the plaintiff and those of Mr. Jeppesen and Ms. Zester. Among other things, the Court does not now have sufficient information to judge the relevancy or materiality of testimony from the other witnesses sought and the proportionality of such additional discovery in this case. Nor should this ruling be taken as a categorical rejection of plaintiff's timeliness argument with respect to additional foreign witnesses.

Defendants shall submit execution copies for the letters of rogatory granted by this Order to chambers for signature.

The Clerk shall spread this ruling to all cases identified on Appendix A to Dkt. 533.

SO ORDERED.

Dated: March 30, 2021



Lewis A. Kaplan
United States District Judge